

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

April 20, 2001 LB 242

some cases, candidates or other kinds of information that members of the Legislature might be asked to comment on. The present law is what is both a bright line and a fuzzy line. The bright line is that no use can be made of public resources. But, of course, we all know that won't work because if somebody calls you up and you're sitting in your office, you're going to talk to them. And if they ask you about a ballot issue, you're going to respond. You're not going to say that I'm sitting in my office and I can't talk to you. And so this amendment that Senator Quandahl and I have drafted attempts to find a line that is analogous to what the Accountability and Disclosure Commission has produced in their rules, and that is essentially that just kind of those incidental kind of necessary to the process kind of comments don't offend the broader rule that you can't use public resources for support or opposition, particularly of a ballot issue but in potentially for candidates. We have attempted to draw the line and say that incidental use isn't prohibited but that when you get over to something that looks like mass mailings, mass communications, that that is prohibited. That's the line that we're attempting to draw. Senator Beutler had begun to question where the line should be drawn, and I think he has now filed, or at least I've seen it, haven't looked on my machine, but he has, I believe, filed an amendment to the amendment that would result in some additional discussion of where to draw that line.

SPEAKER KRISTENSEN: Thank you, Senator Wickersham. Mr. Clerk.

CLERK: Senator Beutler would move to amend the Wickersham-Quandahl amendment, Mr. President. (AM1599, Legislative Journal page 1588.)

SPEAKER KRISTENSEN: Senator Beutler, you're recognized to open on your amendment to the amendment.

SENATOR BEUTLER: Senator Kristensen, members of the Legislature, Senator Wickersham has succinctly described the point under discussion and has also described the general thrust of my amendment. What this section says now is that this section does not prohibit a member of the Legislature from expressing his or her opinion regarding a ballot question or